

May 1, 2013

Honored Members of the Committee:

Thank you for this opportunity to speak with you about this important matter, House Bill 4646. I am Jan Parmenter, MSW, LMSW. I have worked in various capacities with families and children since 1987 including foster care, pregnancy counseling, and older child, domestic and international adoption. I served on the board of an adoption agency while I was directing and teaching a social work program at Evangel University in Springfield, MO. I am an adoptive mother of a now 14 year old girl from Lithuania (she was 8 ½ when we adopted) and also sister to a birth mother who placed her son for adoption 44 years ago. I am currently supervisor for Pregnancy Counseling, Domestic Adoption and International Adoption at Bethany Christian Services in Grand Rapids, MI.

Over the years I have had the privilege to work with expectant and birth parents as they go through the difficult process of deciding what the best plan is for their child. In more recent years I have seen a growing number of cases that would benefit from the changes being proposed to the current law. Changes in HB 4646 specifically address the option of taking out-of-court consent no sooner than 24 hours after giving birth and limiting the birth parents time for revoking their consent to 72 hours following the original consent.

In regards to allowing for an adoption lawyer or a licensed caseworker from a licensed child placing agency to witness out-of-court consent: birth mothers and putative fathers routinely have had experiences that result in their not wanting to appear in a court of law before a referee or judge. Embarrassment of having to tell their story to a stranger while being recorded, or at times having to testify to rape or incest in yet another court, interferes with their moving forward with the final step of consenting in court even when they have no doubt that adoption is the best plan for them and their child. It may also be that they have had other children removed and rights involuntarily terminated on other children so that the court hearing process is very traumatic. Again we see avoidance of attending the hearing to consent after willingly providing temporary placement. I am also seeing an increasing number of birth mothers with addictions. Their alcohol or drug dependency makes it difficult to find them once they leave the hospital. In addition once they leave the hospital there is less guarantee that the mother is sober when and if we are able to bring her in to court. If the birth mother cannot be found or is using her substance of choice, limiting our ability to assure that she is able to make an informed decision, DHS will have to be brought in which may jeopardize the child's placement with an adoptive family where they may have been for several months. We have purposely moved away from interim care because we are more aware of how crucial those early days of bonding are for the child, this change will bring more assurance of permanency for these children.

Allowing for out-of-court consent witnessed by an adoption attorney or a caseworker from a licensed child placing agency will assist in these cases. I believe that allowing for the out-of-court consent has benefit for all parties of the adoption triad as long as the consent is taken not less than 24 hours after birth and witnessed by a second uninterested party. 24 hours gives a chance for the mother to recover

from the delivery and any medications that have been administered, better assuring that the mother is making the decision with clarity of thought. I believe there is room for improvement in this proposed change by including that a second uninterested party witness the consent. This change helps protect the birth parent, the child, the adoptive family and the party taking the consent, as it would be less likely that the birth parents vulnerability could be taken advantage of by a person not acting in the birth parents or child's best interest. It would also protect the person taking the consent in that if there would be any question as to the person taking the consent motivation or methods, they have a witness that can testify as to whether they were acting in an illegal or unethical manner.

Limiting the period of revocation to 72 hours after execution of the consent allows time for a birth parent to consider their decision and make appropriate arrangements to begin providing care for their child should they decide they want to parent. Providing this option brings permanency and stability for the child in a shorter amount of time. It shortens the time of anxiety for the adoptive family which in turn allows for the child to experience less stress. We are experiencing delays in the response of the court to set a time for a consent hearing because of full dockets. Without the closure the birth parent cannot fully experience the grieving process. They continue to be caught in the purgatory of waiting to know the final outcome before they can begin emotionally moving on, at times pushing them into unresolved grief or depression.

I do have concerns for those birth parents whose process is better assisted by giving them the time they need to come fully to terms with their decision following giving birth. The proposed legislation does not prevent this from occurring. It simply provides more options for the variety of circumstances and emotional needs our clients come to us with. Furthermore, the option to request that the court make a determination as to the best interest of the child helps to protect the birthparent who may be feeling they want to parent or whose circumstances have changed once the child is born and adoption is no longer the best option for the child. It also protects the child and the adoptive family.

Thank you for bringing this critical issue forward today through the introduction of HB 4646. Bethany Christian Services and the Michigan Federation for Children and Families are supportive of the concept of this bill, and are committed to helping the members of the committee strengthen the bill; it is such a critical piece of legislation, and would have a positive impact on all members of the adoption triad involved in a direct placement adoption. Thank you and I hope to answer any questions you may have.